

§97.614

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with the certification statement in §97.616(a)(4)(iii).

(2) Upon and after receipt by the Administrator of a complete certificate of representation under §97.616:

(i) The designated representative shall be authorized and shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the source and each TR SO₂ Group 1 unit at the source in all matters pertaining to the TR SO₂ Group 1 Trading Program, notwithstanding any agreement between the designated representative and such owners and operators; and

(ii) The owners and operators of the source and each TR SO₂ Group 1 unit at the source shall be bound by any decision or order issued to the designated representative by the Administrator regarding the source or any such unit.

(b) Except as provided under §97.615, each TR SO₂ Group 1 source may have one and only one alternate designated representative, who may act on behalf of the designated representative. The agreement by which the alternate designated representative is selected shall include a procedure for authorizing the alternate designated representative to act in lieu of the designated representative.

(1) The alternate designated representative shall be selected by an agreement binding on the owners and operators of the source and all TR SO₂ Group 1 units at the source and shall act in accordance with the certification statement in §97.616(a)(4)(iii).

(2) Upon and after receipt by the Administrator of a complete certificate of representation under §97.616,

(i) The alternate designated representative shall be authorized;

(ii) Any representation, action, inaction, or submission by the alternate designated representative shall be deemed to be a representation, action, inaction, or submission by the designated representative; and

(iii) The owners and operators of the source and each TR SO₂ Group 1 unit at the source shall be bound by any decision or order issued to the alternate designated representative by the Administrator regarding the source or any such unit.

(c) Except in this section, §97.602, and §§97.614 through 97.618, whenever the term “designated representative” (as distinguished from the term “common designated representative”) is used in this subpart, the term shall be construed to include the designated representative or any alternate designated representative.

§97.614 Responsibilities of designated representative and alternate designated representative.

(a) Except as provided under §97.618 concerning delegation of authority to make submissions, each submission under the TR SO₂ Group 1 Trading Program shall be made, signed, and certified by the designated representative or alternate designated representative for each TR SO₂ Group 1 source and TR SO₂ Group 1 unit for which the submission is made. Each such submission shall include the following certification statement by the designated representative or alternate designated representative: “I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.”

(b) The Administrator will accept or act on a submission made for a TR SO₂ Group 1 source or a TR SO₂ Group 1 unit only if the submission has been made, signed, and certified in accordance with paragraph (a) of this section and §97.618.